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PAC



PATENT
29250-000272/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Donghui QU CONF. NO.: 6732
SERIAL NO.: 09/321,611 GROUP: 2133
FILED: May 28, 1999 EXAMINER: G. Lamarre
FOR: EFFICIENT METHOD FOR CALCULATING THE REMAINDER
OF A MODULO DIVISION

RESUBMISSION OF PREVIOUSLY FILED PETITION

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Petitions Branch

June 27, 2006

Dear Sir:

On July 31, 2002, Applicants submitted a Petition Under 37 C.F.R. §1.181 To Withdraw Holding of Abandonment, a copy of which is attached herewith, along with Exhibits I-III. Also enclosed is a copy of the date-stamped filing receipt, indicating the Patent Office's receipt of the Petition and its attachments.

Applicants have never received a response to the July 31, 2002 Petition. Applicants checked the status of the subject application on Private PAIR, and there is no record of the Petition having been filed.

Therefore, in light of the above, Applicants request that the attached Petition and its attachments be considered.

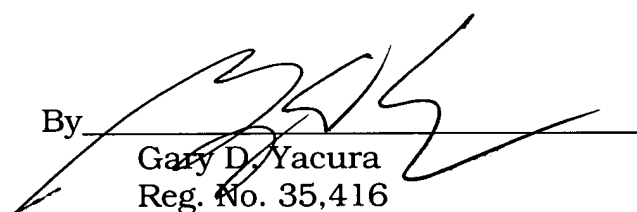
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, PLC

By



Gary D. Yacura
Reg. No. 35,416

GDY:jcp

P.O. Box 8910
Reston, VA 20195
(703) 668-8000



PATENT
29250-000272

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donghui QU

Conf: 6732

Serial No.: 09/321,611

Group: 2133

Filed: May 28, 1999

Examiner: G. Lamarre

For: EFFICIENT METHOD FOR CALCULATING THE REMAINDER OF A
MODULO DIVISION

PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

July 31, 2002

Dear Sir:

In response to the Notice of Abandonment dated July 23, 2002, Applicant hereby respectfully petitions under the provisions of 37 C.F.R. 1.181 and M.P.E.P. §711.03(c) for decision to withdraw the holding of abandonment.

The Notice of Abandonment dated July 23, 2002 indicates that this application was abandoned in view of Applicant's failure to respond to timely pay the required issue fee within the statutory period of three months from the mailing date of a Notice of Allowance mailed on March 12, 2002. However, this Notice of Allowance was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that this Notice of Allowance of March 12, 2002 was never received. The offices of the undersigned did not become aware of the Notice of Allowance until advised of the holding of abandonment.

The fact that the Notice of Allowance of March 12, 2002 was never received in the offices of Harness, Dickey & Pierce, P.L.C. (Reston Office) is evidenced by **Exhibits I-III** attached hereto.

Exhibit I is a copy of the front page of the attorney's file jacket of Serial No. 09/321,611 (which corresponds to Attorney Docket No. 29250-000272). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petition Examiner will note, there is no entry for the Notice of Allowance dated March 12, 2002 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet for Harness, Dickey & Pierce P.L.C. (Reston Office) for the date of June 12, 2002 (the due date for said issue fee), containing entries made by our Docketing Personnel of due dates in response to United States Patent and Trademark Office Actions. It is the policy of our office to docket all due dates for Office Actions received from United States Patent and Trademark Office into our computer docketing system.

Although Titles and Client Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of June 12, 2002 which corresponds to the current application, Attorney Docket No. 29250-000272.

Exhibit III is a copy of the manual docket book of Harness, Dickey & Pierce, P.L.C. (Reston Office) for the due date of June 12, 2002. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO in our manual docketing book.

Although Client Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date of June 12, 2002 for the above-referenced Attorney Docket No. 29250-000272.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets and the manual docket book for the due date of June 12, 2002 and did not locate an entry which corresponds to Attorney Docket No. 29250-000272.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with the United States Patent and Trademark Office receiving the mailing of the November 6, 2001 response to the June 6, 2001 Office Action. Accordingly, this petition is being timely filed for the purpose of petitioning withdrawal of the abandonment in view of the above-stated facts.

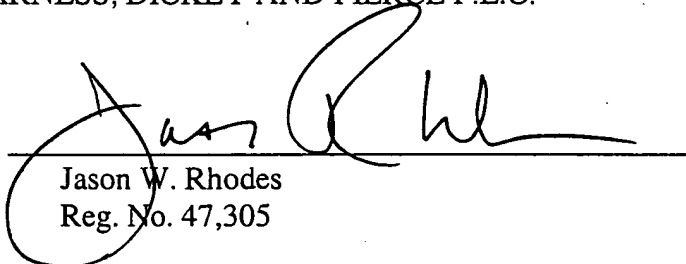
Since the above-mentioned Notice of Allowance was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this petition. In the event that the petition fee is deemed necessary by the United States Patent and Trademark Office, it is respectfully requested that the fee of \$130.00 as set forth in 35 U.S.C. §1.17(h)(1) be charged to Deposit Account No. 08-0750.

In the event that any matters remain at issue in the application, the Examiner is invited to contact Jason W. Rhodes (Reg. No. 47,305) at (703) 390-3030 in the Northern Virginia area, for the purpose of a telephonic interview.

Respectfully submitted,

HARNESS, DICKEY AND PIERCE P.L.C.

By



Jason W. Rhodes
Reg. No. 47,305

P.O. Box 8910
Reston, VA 20195

GDY:JWR:dg

Attachments: **Exhibits I-III**



Applicant: Donghui QU	Case No.: 29250-000272/US
Serial No.: 09/321,611	Filing Date: May 28, 1999
Title: EFFICIENT METHOD FOR CALCULATING THE REMAINDER OF A MODULO DIVISION	
Please acknowledge receipt of: Transmittal Form Petition under 37 C.F.R. §1.181 to Withdraw Holding of Abandonment	
USPTO Date Stamp	
By stamping and returning to Harness, Dickey & Pierce, P.L.C.	DATE: 7/31/2002
Due:	Attorney: Jason W. Rhodes

Please type a plus sign (+) inside this box →



HDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/321,611
		Filing Date	May 28, 1999
		First Named Inventor	Donghui QU
		Group Art Unit	2133
		Examiner Name	G. Lamarre
Total Number of Pages in This Submission		Attorney Docket Number	29250-000272/US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Withdraw Holding of Abandonment
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Reg. No.
		Jason W. Rhodes	47,305
Signature			
Date	7/31/2002		

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
Typed or printed name			
Signature		Date	

6/12/2002 JAC / / 29250-000128/US Appeal Due

Appln. No.: 09/139107 Filing Dt.: 8/25/1998 Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 GDY / / 29250-100262/CA Misc. Response Due NEP

Appln. No.: 2266683 Filing Dt.: 7/29/1998 Client: Lucent Technologies, Inc.

Title: [REDACTED]

Comments: 2 WEEK CALL-UP TO RESPOND TO OFFICIAL ACTION DUE 06/26/2002

6/12/2002 TSA / / 3197-000040/US Target Filing Date

Appln. No.: Filing Dt.: Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 DJD / / 32860-000243/US IF NEP (1st) & Chk Div's/CIPs

Appln. No.: 09/646148 Filing Dt.: 9/13/2000 Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 JAC / / 37310-000101/US IF NEP (1st) & Chk Div's/CIPs

Appln. No.: 09/337741 Filing Dt.: 6/22/1999 Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 JAC / / 37310-000185/US Target Filing Date

Appln. No.: Filing Dt.: Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 JAC / GPB / 37310-000206/US 3 Mo OA (1st) Due

Appln. No.: 09/563713 Filing Dt.: 5/2/2000 Client: [REDACTED]

Title: [REDACTED]

Comments:

6/12/2002 GDY / TRW / 37310-100199/EP Foreign OA

Appln. No.: 97302561.2 Filing Dt.: 4/15/1997 Client: [REDACTED]

Title: [REDACTED]

Comments: RULE 51(4) OFFICIAL ACTION - NO PROPOSED AMENDMENTS MADE BY EXAMINER!

6/12/2002 MPB / GKH / TSA 6215-000078/US Target Filing Date

Appln. No.: Filing Dt.: Client: [REDACTED]

Title: [REDACTED]

Comments:

EXHIBIT III

o/c yr

Jun 12 02

✓ 32860-000128

Final y

TRW

Abar

NOA x

✓ 37310-000157

NTFMP xx

GIDY

filed 5/13/02

✓ 32860-000105 DVA

Amend

DJD

filed 5/2/02

✓ 39250-000128

✓ Final filed 5/13/02

JAC

NOA ext

✓ 39250-000471

Amend

TSA

filed 6/11/02

✓ 37310-000101

Issue Fee

JAC

paid 6/12/02

✓ 39250-000172

Issue Fee

TSA

paid by [REDACTED] 5/3/02

✓ 45900-000720

NTFMP x

JAC

filed 4/23/02

32860-000263

Miss. Rgmts. x

DJD

filed 5/13/02

✓ 37310-000139

Restriction xx

JAC

filed 3/27/02

32860-000243

Issue Fee

DJD

paid 6/12/02

Jun 12 02

✓ 6215-000078

TFD

ext to 7/12/02

TSA

✓ 137310-000206/US/DVA

Amend

GDY

filed 6/12/02

✓ 32860-000276

Resp to Not of Msg Reg

DJD

filed 6/10/02

✓ 37310-000185

TFD

JAC

ext to 6/26

✓ 3797-000040

TFD

TSA

ext to 6/21/02

✓ 12480-000003

TBFA

DJD

filed 6/5/02

PATENT NO. _____
ISSUED _____

SMALL
ENTITY _____
(FILED)

SUPPLEMENTAL VOLUME(S)

FILED: May 28, 1999

PRIORITY CLAIMED

RECLAIMED

DRWGS. NO. OF SHEETS 3 (A4)

FOREIGN CASES

ASSIGNMENT

PARENT/OFFSPRING

FILED IN PTO 9-28-99

TO Lucent Technologies, Inc

ADDRESS

9	22	09
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REF

102107

FRAME(S) 7

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